

ORIGINAL

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

CASE UNSEALED PER ORDER OF COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

June 2014 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH BUDDENBERG (1),
NICOLE KISSANE (2),

Defendants.

Case No.

15 CR 1928 LAB

I N D I C T M E N T

Title 18, U.S.C., Sec. 43(a)(1),
(2)(C), and (b)(3)(A) - Conspiracy
to Violate the Animal Enterprise
Terrorism Act

The grand jury charges:

Count 1

Beginning at a date unknown to the grand jury, and continuing up to and including July 2015, within the Southern District of California, and elsewhere, defendants JOSEPH BUDDENBERG and NICOLE KISSANE, did knowingly and intentionally conspire with each other and with persons known and unknown to the grand jury to travel in interstate and foreign commerce for the purpose of causing physical disruption to the functioning of animal enterprises, to intentionally damage and cause the loss of real and personal property, including, but not limited to, animals and records used by the animal enterprises, and caused economic damage in an amount exceeding \$100,000.

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JNP:MFK:nlv:San Diego
7/21/15

17AH

MEANS AND METHODS OF THE CONSPIRACY

Among the means and methods by which the defendants participated in the conspiracy were the following:

The defendants, animal rights extremists, planned multiple cross-country trips in the summer of 2013 to intentionally cause harm to the fur industry, to individuals associated with that industry, and to others opposed to their point of view. During those trips, they drove approximately 40,000 miles.

The defendants, who were unemployed, sold items on eBay and Amazon to prepare for and finance these trips. They used computers and cell phones to communicate with customers, and used the postal service to ship items.

Immediately prior to going on their cross-country trips, in an effort to avoid law enforcement detection, the defendants withdrew large sums of cash from their bank accounts.

While on their cross-country trips, in an effort to avoid law enforcement detection, the defendants largely avoided the use of phones, ceased logging into known online accounts and email, and used only cash to make purchases.

Once returning from their trips, the defendants resumed normal use of their phones and computers, and no longer solely relied on cash to make purchases.

Additionally, in an effort to avoid law enforcement detection, the defendants used public internet computers and encrypted email.

While on their trips, the defendants released mink from mink farms and vandalized property associated with the fur industry.

To publicize their crimes, after releasing mink or vandalizing property, members of the conspiracy drafted "communiqués" which

1 described their conduct. Members of the conspiracy caused these
2 documents to be posted on websites associated with animal rights
3 extremists.

4 During the course of their cross-country trips, the defendants
5 caused hundreds of thousands of dollars in damages.

6 OVERT ACTS

7 In furtherance of the conspiracy and to effect the objects
8 thereof, within the Southern District of California and elsewhere,
9 defendants JOSEPH BUDDENBERG and NICOLE KISSANE, and others unknown,
10 did commit and cause to be committed the following overt acts, among
11 others:

- 12 1. On or about June 28, 2013, the defendants traveled from
13 Portland, Oregon to Southern California in defendant
14 KISSANE's 2012 Honda Fit.
- 15 2. On or about July 15, 2013, the defendants used paint, paint
16 stripper, a super glue-type substance, butyric acid,
17 muriatic acid, and glass etchant, to vandalize Furs by Graf,
18 a retail furrier located in San Diego, California, and the
19 residences and personal property of the current and former
20 owners of Furs by Graf, located in Spring Valley, California
21 and La Mesa, California.
- 22 3. On or about July 22, 2013 the defendants withdrew cash from
23 a bank in Escondido, California.
- 24 4. On or about July 27, 2013, the defendants caused the release
25 of a bobcat at the Frazier Fur Farm, located in Plains,
26 Montana.
- 27 5. On or about July 28, 2013, the defendants vandalized the
28 personal and work vehicles of the Chief of Police of Darby,

1 Montana, an individual who was well-known and disliked by
2 animal rights activists.

3 6. On or about July 29, 2013, the defendants caused the release
4 of, and destroyed the breeding records of, approximately
5 1,800 mink from the Moyle Mink Ranch in Burley, Idaho.

6 7. Between July 29, 2013 and August 7, 2013, the defendants
7 returned to the San Francisco Bay Area.

8 8. On or about August 7, 2013, defendant KISSANE made a
9 \$300 ATM withdrawal in the San Francisco Bay Area.

10 9. On or about August 9, 2013, the defendants glued the locks
11 of various animal enterprises in the San Francisco Bay Area.

12 10. On or about August 10, 2013, the defendants glued the locks
13 of an animal enterprise in the San Francisco Bay Area.

14 11. On or about August 12, 2013, the defendants slashed multiple
15 tires on multiple vehicles of a wholesale meat distributor
16 in the San Francisco Bay Area.

17 12. On or about August 12, 2013, defendant KISSANE made a
18 \$300 ATM withdrawal in the San Francisco Bay Area.

19 13. On or about August 15, 2013, the defendants broke the
20 windows of a market in the San Francisco Bay Area.

21 14. On or about August 15, 2013, defendant KISSANE made a
22 \$300 ATM withdrawal in the San Francisco Bay Area.

23 15. On or about August 16, 2013, the defendants left the
24 San Francisco Bay Area to travel cross country.

25 16. On or about August 17, 2013, defendant KISSANE attempted to
26 shoplift heavy duty winter gloves from a store in Elko,
27 Nevada.
28

17. On or about August 17, 2013, defendant BUDDENBERG posted defendant KISSANE's bail.
18. On or about August 21, 2013, the defendants smashed the windows and glued the door locks at Ribnick Fur and Leather, a furrier in Minneapolis, Minnesota.
19. On or about August 27, 2013, the defendants vandalized and attempted to flood the Sun Prairie, Wisconsin, home of Victim A, an employee of the North American Fur Auctions.
20. On or about August 30, 2013, the defendants released approximately 400-500 mink from the Donald B. Conrad Fur Farm in Keota, Iowa.
21. On or about September 6, 2013, the defendants returned to the San Francisco Bay Area.
22. On or about September 9, 2013, the defendants resumed listing items for sale online and began withdrawing cash from ATMs.
23. On or about September 25, 2013, the defendants released approximately 1,000 mink from Rykola Mink Farm in Ebensburg, Pennsylvania.
24. On or about October 5, 2013, the defendants released approximately 2000 mink from Bonlander Farms in New Holstein, Wisconsin.
25. On or about October 6, 2013, the defendants released approximately 440 mink from Myhre Mink Ranch in Grand Meadow, Minnesota.
26. On or about October 14, 2013, the defendants returned to the San Francisco Bay Area.

1 27. On or before November 3, 2013, the defendants left the
2 San Francisco Bay Area.

3 28. On or about November 4, 2013, the defendants travelled to
4 Wright County, Iowa.

5 29. On or about November 17, 2013, the defendants returned to
6 the San Francisco Bay Area.


7 30. On or about November 20, 2013, the defendants possessed two
8 one gallon jugs of muriatic acid, two bolt cutters, four
9 wire cutters, various maps, and written material associated
10 with the targeting and destruction of the fur industry.

11 31. On or about December 18, 2013, defendant KISSANE possessed
12 multiple maps of various states, written material associated
13 with the targeting and destruction of the fur industry,
14 multiple cell phones, handwritten lists of fur farms and
15 other animal enterprises, latex gloves, super glue,
16 disposable gloves, heat resistant gloves, a knife,
17 headlamps, a walkie-talkie set, and encrypted computers and
18 USB drives.

19 All in violation of Title 18, United States Code, Section 43(a)(1),
20 (2)(C) and (b)(3)(A).

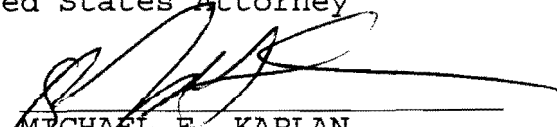
21 DATED: July 22, 2015.

22 A TRUE BILL:

23 
24 Foreperson

25 LAURA E. DUFFY
26 United States Attorney

27 By:

28 
MICHAEL F. KAPLAN
Assistant U.S. Attorney